

(12) Section 44(e) (15 U.S.C. 1126(e)) is amended by striking "a certification" and inserting "a true copy, a photocopy, a certification."

SEC. 9. PATENT AND TRADEMARK FEE CLERICAL AMENDMENT.

The Patent and Trademark Fee Fairness Act of 1999 (113 Stat. 1537–546 et seq.), as enacted by section 1000(a)(9) of Public Law 106–113, is amended in section 4203, by striking "111(a)" and inserting "1113(a)".

SEC. 10. COPYRIGHT RELATED CORRECTIONS TO 1999 OMNIBUS REFORM ACT.

Title I of the Intellectual Property and Communications Omnibus Reform Act of 1999, as enacted by section 1000(a)(9) of Public Law 106–113, is amended as follows:

(1) Section 1007 is amended—

(A) in paragraph (2), by striking "paragraph (2)" and inserting "paragraph (2)(A)"; and

(B) in paragraph (3), by striking "1005(e)" and inserting "1005(d)".

(2) Section 1006(b) is amended by striking "119(b)(1)(B)(iii)" and inserting "119(b)(1)(B)(ii)".

(3)(A) Section 1006(a) is amended—

(i) in paragraph (1), by adding "and" after the semicolon;

(ii) by striking paragraph (2); and

(iii) by redesignating paragraph (3) as paragraph (2).

(B) Section 1011(b)(2)(A) is amended to read as follows:

"(A) in paragraph (1), by striking 'primary transmission made by a superstation and embodying a performance or display of a work' and inserting 'performance or display of a work embodied in a primary transmission made by a superstation or by the Public Broadcasting Service satellite feed'."

SEC. 11. AMENDMENTS TO TITLE 17, UNITED STATES CODE.

Title 17, United States Code, is amended as follows:

(1) Section 119(a)(6) is amended by striking "of performance" and inserting "of a performance".

(2)(A) The section heading for section 122 is amended by striking "rights; secondary" and inserting "rights: Secondary".

(B) The item relating to section 122 in the table of contents for chapter 1 is amended to read as follows:

"122. Limitations on exclusive rights: Secondary transmissions by satellite carriers within local markets."

(3)(A) The section heading for section 121 is amended by striking "reproduction" and inserting "Reproduction".

(B) The item relating to section 121 in the table of contents for chapter 1 is amended by striking "reproduction" and inserting "Reproduction".

(4)(A) Section 106 is amended by striking "107 through 121" and inserting "107 through 122".

(B) Section 501(a) is amended by striking "106 through 121" and inserting "106 through 122".

(C) Section 511(a) is amended by striking "106 through 121" and inserting "106 through 122".

(5) Section 101 is amended—

(A) by moving the definition of "computer program" so that it appears after the definition of "compilation"; and

(B) by moving the definition of "registration" so that it appears after the definition of "publicly".

(6) Section 110(4)(B) is amended in the matter preceding clause (i) by striking "conditions;" and inserting "conditions:".

(7) Section 118(b)(1) is amended in the second sentence by striking "to it".

(8) Section 119(b)(1)(A) is amended—

(A) by striking "transmitted" and inserting "retransmitted"; and

(B) by striking "transmissions" and inserting "retransmissions".

(9) Section 203(a)(2) is amended—

(A) in subparagraph (A)—

(i) by striking "(A) the" and inserting "(A) The"; and

(ii) by striking the semicolon at the end and inserting a period;

(B) in subparagraph (B)—

(i) by striking "(B) the" and inserting "(B) The"; and

(ii) by striking the semicolon at the end and inserting a period; and

(C) in subparagraph (C), by striking "(C) the" and inserting "(C) The".

(10) Section 304(c)(2) is amended—

(A) in subparagraph (A)—

(i) by striking "(A) the" and inserting "(A) The"; and

(ii) by striking the semicolon at the end and inserting a period;

(B) in subparagraph (B)—

(i) by striking "(B) the" and inserting "(B) The"; and

(ii) by striking the semicolon at the end and inserting a period; and

(C) in subparagraph (C), by striking "(C) the" and inserting "(C) The".

(11) The item relating to section 903 in the table of contents for chapter 9 is amended by striking "license" and inserting "licensing".

SEC. 12. OTHER COPYRIGHT RELATED TECHNICAL AMENDMENTS.

(a) AMENDMENT TO TITLE 18.—Section 2319(e)(2) of title 18, United States Code, is amended by striking "107 through 120" and inserting "107 through 122".

(b) STANDARD REFERENCE DATA.—(1) Section 105(f) of Public Law 94–553 is amended by striking "section 290(e) of title 15" and inserting "section 6 of the Standard Reference Data Act (15 U.S.C. 290e)".

(2) Section 6(a) of the Standard Reference Data Act (15 U.S.C. 290e) is amended by striking "Notwithstanding" and all that follows through "United States Code," and inserting "Notwithstanding the limitations under section 105 of title 17, United States Code,".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Senate bill 320 consists of noncontroversial, technical amendments to the patent, trademark, and copyright laws. This bill corrects clerical and other technical drafting errors, and makes important clarifications in the American Inventors Protection Act which was enacted into law during the 106th Congress.

It also makes technical changes to title I of the Intellectual Property and Communications Omnibus Reform Act of 1999, title 17, and other copyright and related technical amendments.

On February 14, 2001, S. 320 passed the other body by a recorded vote of 98 to 0. However, upon further review, drafting errors were discovered in the bill. The Committee on the Judiciary adopted an amendment in the nature of a substitute which corrected the drafting errors. The amendment and S. 320, as amended, were unanimously agreed to by voice vote in the committee.

These are important and necessary amendments to our intellectual property laws, and I urge Members to support S. 320.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the amendment, and so do all of the Members on our side. This is noncontroversial. We support the chairman's description.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I thank the gentleman for yielding time to me. I will be very brief.

Mr. Speaker, as the gentleman from Wisconsin stated, S. 320 consists of noncontroversial technical amendments to the patent, trademark, and copyright laws. They are important improvements.

I want to thank my friend, the distinguished gentleman from California (Mr. BERMAN), the ranking member on the subcommittee, for his work, as well, on this bill, both in the 106th Congress and the 107th Congress. I also want to thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for expeditiously moving this legislation along, because it is important. I urge my colleagues to support S. 320.

Mr. BERMAN. Mr. Speaker, I rise in support of S. 320.

This bill, as amended by the Judiciary Committee last week, is comprised of language from two bills, H.R. 4870 and H.R. 5106, that the House passed by voice vote on suspension last year. As were those bills last year, the current version of S. 320 is wholly noncontroversial and technical. It makes technical changes to patent, trademark, and copyright law and streamlines the operations of the PTO and Copyright Office.

As amended, S. 320 will do such things as change the title of the head of the PTO from "Director" to "Commissioner." It will also harmonize capitalizations, alphabetize definition sections, and correct punctuation.

I urge my colleagues to vote in favor of his bill.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 320, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

MAKING TECHNICAL AMENDMENTS TO SECTION 10 OF TITLE 9, UNITED STATES CODE

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 861) to make technical amendments to section 10 of title 9, United States Code.

The Clerk read as follows:

H.R. 861

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VACATION OF AWARDS.

Section 10 of title 9, United States Code, is amended—

(1) by indenting the margin of paragraphs (1) through (4) of subsection (a) 2 ems;

(2) by striking "Where" in such paragraphs and inserting "where";

(3) by striking the period at the end of paragraphs (1), (2), and (3) of subsection (a) and inserting a semicolon and by adding "or" at the end of paragraph (3);

(4) by redesignating subsection (b) as subsection (c); and

(5) in paragraph (5), by striking "Where an award" and inserting "If an award", by inserting a comma after "expired", and by redesignating the paragraph as subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 861, and in so doing, feel inclined to paraphrase Daniel Webster, who, in defending Dartmouth College, noted that "It may be small, but there are those who love it."

Nothing could be more true with this bill, as H.R. 861 makes a truly technical correction of the most non-controversial nature. It simply corrects section 10 of title 9 of the United States Code, which is a typographical flaw that has long evaded detection.

This section enumerates several grounds for vacating an arbitrator's award, with each ground beginning with the word "where." The fifth clause of section 10, however, is obviously not a ground for vacating an award, but rather, the beginning of a new sentence. This bill corrects this error.

However small this change may be, through the years this bill, which has come to be known as "the comma bill," has engendered great affection.

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Some may try to diminish the importance of this bill, but one should never underestimate the importance of a comma.

To paraphrase the late Everett Dirksen, a comma here, a comma there, and pretty soon you have got a full sentence.

Let us be honest with ourselves, when used properly, a comma can be devastatingly effective. For those, especially school children, who think that grammar and punctuation do not matter and tune themselves out during English class, today's action shows clearly that it does.

Thankfully, not every grammar mistake, not every misplaced comma takes an act of Congress to correct, but this particular section of the United States Code does.

This bill has been passed by each of the past two Congresses, only to be held hostage by unrelated issues in the other body.

To my colleagues here and on the other side of the Capitol who have previously loaded up this bill with unrelated legislation, I say free the comma, and I urge my colleagues to pass H.R. 861.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in total unanimous support for the comma bill.

Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time as well.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 861.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 725, by the yeas and nays; and

H.R. 861, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

MADE IN AMERICA INFORMATION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 725, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. STEARNS) that the House suspend the rules and pass the bill, H.R. 725, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 407, nays 3, not voting 22, as follows:

[Roll No. 48]

YEAS—407

Abercrombie	Dooley	Kildee
Aderholt	Doolittle	Kilpatrick
Akin	Doyle	Kind (WI)
Allen	Dreier	King (NY)
Andrews	Duncan	Kingston
Armey	Dunn	Kirk
Baca	Ehlers	Klecza
Bachus	Ehrlich	Knollenberg
Baird	Emerson	Kolbe
Baker	Engel	Kucinich
Baldacci	English	LaFalce
Baldwin	Eshoo	LaHood
Ballenger	Etheridge	Lampson
Barcia	Evans	Langevin
Barr	Everett	Lantos
Barrett	Farr	Largent
Bartlett	Fattah	Larsen (WA)
Bass	Filner	Larson (CT)
Bentsen	Fletcher	Latham
Bereuter	Foley	LaTourette
Berkley	Ford	Leach
Berman	Fossella	Levin
Berry	Frank	Lewis (CA)
Biggart	Frost	Lewis (GA)
Bilirakis	Gallegly	Lewis (KY)
Bishop	Ganske	Linder
Blagojevich	Gekas	Lipinski
Blumenauer	Gephardt	LoBiondo
Blunt	Gibbons	Lofgren
Boehlert	Gilchrest	Lowey
Boehner	Gillmor	Lucas (KY)
Bonilla	Gilman	Lucas (OK)
Bonior	Gonzalez	Luther
Bono	Goode	Maloney (CT)
Borski	Goodlatte	Maloney (NY)
Boswell	Gordon	Manzullo
Boucher	Goss	Markey
Boyd	Graham	Mascara
Brady (PA)	Granger	Matheson
Brady (TX)	Graves	Matsui
Brown (OH)	Green (TX)	McCarthy (MO)
Brown (SC)	Green (WI)	McCarthy (NY)
Bryant	Greenwood	McCollum
Burr	Grucci	McCrery
Burton	Gutierrez	McDermott
Buyer	Gutknecht	McGovern
Callahan	Hall (OH)	McHugh
Calvert	Hall (TX)	McInnis
Camp	Hansen	McIntyre
Cantor	Harman	McKeon
Capito	Hart	McKinney
Capps	Hastings (FL)	McNulty
Capuano	Hastings (WA)	Meehan
Cardin	Hayes	Meeks (NY)
Carson (IN)	Hayworth	Menendez
Carson (OK)	Hefley	Mica
Castle	Hergert	Millender-
Chabot	Hill	McDonald
Chambliss	Hilleary	Miller (FL)
Clay	Hilliard	Miller, Gary
Clayton	Hinchey	Mink
Clement	Hinojosa	Mollohan
Clyburn	Hobson	Moore
Coble	Hoeffel	Moran (KS)
Collins	Hoekstra	Moran (VA)
Combest	Holden	Morella
Condit	Honda	Murtha
Conyers	Hoolley	Myrick
Cooksey	Horn	Nadler
Costello	Hostettler	Napolitano
Cox	Houghton	Neal
Coyne	Hoyer	Nethercutt
Cramer	Hulshof	Ney
Crane	Hutchinson	Northup
Crenshaw	Hyde	Norwood
Crowley	Inslee	Nussle
Cubin	Isakson	Oberstar
Culberson	Israel	Obey
Cummings	Issa	Olver
Cunningham	Istook	Ortiz
Davis (CA)	Jackson (IL)	Osborne
Davis (FL)	Jackson-Lee	Ose
Davis, Jo Ann	(TX)	Otter
Davis, Tom	Jenkins	Owens
Deal	John	Oxley
DeFazio	Johnson (CT)	Pallone
DeGette	Johnson (IL)	Pascarell
Delahunt	Johnson, Sam	Pastor
DeLauro	Jones (NC)	Payne
DeLay	Jones (OH)	Pelosi
DeMint	Kanjorski	Pence
Deutsch	Kaptur	Peterson (MN)
Diaz-Balart	Kelly	Peterson (PA)
Dicks	Kennedy (MN)	Petri
Dingell	Kennedy (RI)	Phelps
Doggett	Kerns	Pickering